

# REPORT / RECOMMENDATION



**To:** MAYOR AND COUNCIL

**Agenda Item #:** VI. A.

**From:** Patrick Wrase, PE, Assistant City Engineer

**Action** ☒

**Discussion** ☐

**Date:** May 20, 2014

**Information** ☐

**Subject:** Public Hearing – 2014 Alley Improvements, Improvement Nos. A-257 and A258,  
Resolution No. 2014-56

## Action Requested:

If the Council determines the project to be necessary, cost-effective, and feasible, Council shall adopt Resolution No. 2014-56 accepting the feasibility study and approving the 2014 Alley Improvements, No. A-257 and A-258, authorize plans and specifications to be completed and bids taken.

## Information / Background:

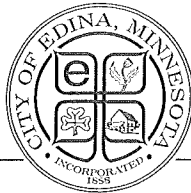
The alleys are located between Xerxes and York Avenues and W. 54<sup>th</sup> and W. 56<sup>th</sup> Streets. Residents adjacent to the alley between W. 55<sup>th</sup> and W. 56<sup>th</sup> Streets submitted a petition for alley improvement to City Council. During inspection of this alley, staff noted that the alley to the north (W. 55<sup>th</sup> to W. 54<sup>th</sup> Streets) was in similar condition and should also be considered for improvement.

Staff is recommending paving the alleys with bituminous pavement and the estimated construction cost for both of the alleys is \$95,000. Funding for the alley costs will be from a special assessment of 100% of the project costs. The preliminary assessment estimate is \$1,800 per residential equivalent unit (REU).

Staff analyzed the project and has determined the project is necessary, cost-effective and feasible from an engineering standpoint.

## Attachments:

- Resolution No. 2014-56
- Certificate of Mailing Notice
- Correspondence



**RESOLUTION NO. 2014-56  
ORDERING IMPROVEMENT FOR  
2014 ALLEY IMPROVEMENTS  
IMPROVEMENT NOS. A-257 and A-258**

WHEREAS, a resolution of the City Council, adopted the 22<sup>nd</sup> day of April, 2014, fixed a date for a council hearing on Improvement Nos. A-257 and A-258, the proposed 2014 Alley Improvements; and

WHEREAS, ten days' mailed notice and two weeks' published notice of the hearing was given, and the hearing was held thereon on the 20<sup>th</sup> day of May, 2014, at which all persons desiring to be heard were given an opportunity to be heard thereon;

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EDINA, MINNESOTA:

1. Such improvement is necessary, cost-effective, and feasible to improve poor pavement condition, stormwater drainage, and driveway access.
2. Such improvement is hereby ordered.
3. The city engineer is hereby designated as the engineer for this improvement. The engineer shall prepare plans and specifications for the making of such improvement.
4. The city council declares its official intent to reimburse itself for the costs of the improvement from the proceeds of tax exempt bonds.

Dated: May 20, 2014

Attest: \_\_\_\_\_  
Debra A. Mangen, City Clerk

\_\_\_\_\_  
James B. Hovland, Mayor

STATE OF MINNESOTA     )  
COUNTY OF HENNEPIN    )SS  
CITY OF EDINA            )

**CERTIFICATE OF CITY CLERK**

I, the undersigned duly appointed and acting City Clerk for the City of Edina do hereby certify that the attached and foregoing Resolution was duly adopted by the Edina City Council at its Regular Meeting of May 20, 2014, and as recorded in the Minutes of said Regular Meeting.

WITNESS my hand and seal of said City this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
City Clerk

**ENGINEERING DEPARTMENT**

7450 Metro Boulevard • Edina, Minnesota 55439  
www.EdinaMN.gov • 952-826-0371 • Fax 952-826-0392

STATE OF MINNESOTA )  
COUNTY OF HENNEPIN) SS  
CITY OF EDINA )

CERTIFICATE OF MAILING NOTICE

I, the undersigned, being the duly qualified acting City Clerk of the City of Edina, Minnesota, hereby certify that on the following date **May 5, 2014**, acting on behalf of said City, I deposited in the United States mail copies of the attached **Notice of Public Hearing for 2014 Alley Improvements, Improvement Nos. A-257 & A-258** (Exhibit A), enclosed in sealed envelopes, with postage thereon duly prepaid, addressed to the persons at the addresses as shown on the mailing list (Exhibit B), attached to the original hereof, which list is on file in my office, said persons being those appearing on the records of the County Auditor as owners of the property listed opposite their respective names, as of a date **13 days** prior to the date of the hearing; and that I also sent said notice to the following corporations at the indicated addresses whose property is exempt from taxation and is therefore not carried on the records of said County Auditor.

NAME

ADDRESS

WITNESS my hand and the seal of said City this and day of May, 20 14.

Debra M. Mangan  
Edina City Clerk



May 5, 2014

**NOTICE OF PUBLIC HEARING**  
**2014 ALLEY IMPROVEMENTS**  
**54<sup>th</sup> to 56<sup>th</sup> St. W. between Xerxes and York Avenues**  
**IMPROVEMENT NOS. A-257 & A-258**

The Edina City Council will meet at Edina City Hall, on Tuesday, May 20, 2014, at 7:00 p.m., to consider the public hearing for the 2014 Alley Improvements. This hearing is being conducted under the authority granted by Minnesota Statutes, Chapter 429.

This hearing has been called because of a petition from residents for the improvements, and staff's recommendation. The proposed project would be constructed in the summer of 2014 with the assessment hearing occurring in the fall of 2015. The estimated project cost is \$95,000. The cost of the project will be funded by special assessment. The estimated cost per assessable lot is \$1,800 per residential equivalent unit. The assessments can be divided over a five-year period with interest accumulating on the unpaid balance.

The area proposed to be assessed the cost of the proposed improvement includes the following:

3100 & 3113 56<sup>th</sup> St. W., 3100 55<sup>th</sup> St. W., 5400 to 5552 Xerxes Ave. So.,  
5405 to 5553 York Ave. So.

Your receipt of this notice is an indication that property whose ownership is listed to you is among those properties which are considered to be benefited by the improvement.

The City Council can authorize the proposed project immediately upon the close of the hearing.

To comment, you may:

- **Write** to City of Edina, Attention Engineering, 7450 Metro Boulevard, Edina, MN 55439
- **Email** to [mail@EdinaMN.gov](mailto:mail@EdinaMN.gov), attention City Council and Engineering
- **Attend the public hearing** and offer comments.

**ENGINEERING DEPARTMENT**

7450 Metro Boulevard • Edina, Minnesota 55439  
[www.EdinaMN.gov](http://www.EdinaMN.gov) • 952-826-0371 • Fax 952-826-0392



2002824210072  
Patrick K Finnegan  
3100 56th St. W.  
Edina, MN 55410

2002824210058  
Thomas A Albrecht  
5500 Xerxes Ave. So.  
Edina, MN 55410

2002824210059  
Mary A Schopper  
5504 Xerxes Ave. So.  
Edina, MN 55410

2002824210060  
Rose M Kubis  
5508 Xerxes Ave. So.  
Edina, MN 55410

2002824210061  
Margaret S Ingalls  
5512 Xerxes Ave. So.  
Edina, MN 55410

2002824210062  
Stephen Manser  
5516 Xerxes Ave. So.  
Edina, MN 55410

2002824210063  
Doyle Wolfe  
5520 Xerxes Ave. So.  
Edina, MN 55410

2002824210064  
Jay R Eggers  
5524 Xerxes Ave. So.  
Edina, MN 55410

2002824210065  
Susan M Whitman  
5528 Xerxes Ave. So.  
Edina, MN 55410

2002824210066  
Leah Beth Oslund  
5532 Xerxes Ave. So.  
Edina, MN 55410

2002824210067  
Orhan & Emine S Arpinar  
5536 Xerxes Ave. So.  
Edina, MN 55410

2002824210068  
Maynard E Reynolds  
5540 Xerxes Ave. So.  
Edina, MN 55410

2002824210069  
Lawrence D Simmons  
6709 Apache Rd  
Edina, MN 55439

2002824210070  
Gerald Kojetin  
5548 Xerxes Ave. So.  
Edina, MN 55410

2002824210071  
Nathaniel Bolin  
5552 Xerxes Ave. So.  
Edina, MN 55410

2002824210083  
Matthew Prokopanko  
5501 York Ave. So.  
Edina, MN 55410

2002824210082  
Jill L Kielas  
5505 York Ave. So.  
Edina, MN 55410

2002824210081  
Georges Duarte  
0 241313  
Apple Valley, MN 55124

2002824210080  
K Kotsonas & L Lundquist  
5515 York Ave. So.  
Edina, MN 55410

2002824210079  
Philomena M Hesse  
5519 York Ave. So.  
Edina, MN 55410

2002824210078  
Robert & Julie Rutkiewicz  
5525 York Ave. So.  
Edina, MN 55410

2002824210077  
Daniel & Amy Farsht  
5533 York Ave. So.  
Edina, MN 55410

2002824210076  
Anthony & Joanna Curry  
5537 York Ave. So.  
Edina, MN 55410

2002824210075  
Eric F Hand  
5545 York Ave. So.  
Edina, MN 55410

2002824210074  
J & D Apartments, LLC  
5525 1st Ave So.  
Minneapolis, MN 55419

2002824210073  
Jodie & Jared J Bernarde  
5553 York Ave. So.  
Edina, MN 55410



2002824210028  
Zachary K & Shannon M Steven  
3113 54<sup>th</sup> St. W.  
Edina, MN 55410

2002824210005  
Keith Reitman & Carole Cera  
5402 Xerxes Ave. So.  
Edina, MN 55410

2002824210145  
Bartley E & Katherine I Archer  
5416 Xerxes Ave. So.  
Edina, MN 55410

2002824210144  
Sarah A & Philip M Johnson  
5428 Xerxes Ave. So.  
Edina, MN 55410

2002824210012  
Maryann T Galic  
1302 Penninsula Dr  
Traverse City, MI 49686

2002824210015  
J P Zeilinger  
5454 Xerxes Ave. So.  
Edina, MN 55410

2002824210024  
Angela Brunelle  
5413 York Ave. So.  
Edina, MN 55410

2002824210021  
David J & Janet Ulvin  
5425 York Ave. So.  
Edina, MN 55410

2002824210018  
Thomas S Peterson & Michelle A  
Bochert  
5441 York Ave. So.  
Edina, MN 55410

2002824210016  
Donald G & Joan G Pederson  
3100 55th St. W.  
Edina, MN 55410

2002824210006  
Nicholas Mccarthy  
5406 Xerxes Ave. So.  
Edina, MN 55410

2002824210146  
Jill & Mark L Murray III  
5420 Xerxes Ave. So.  
Edina, MN 55410

2002824210010  
Nancy Stockert Trustee  
1929 Kakela Dr  
Honolulu, HI 96822

2002824210013  
Scott M Vogel  
5444 Xerxes Ave. So.  
Edina, MN 55410

2002824210026  
Thomas A Spicola & Suzanne M  
Remington  
5405 York Ave. So.  
Edina, MN 55410

2002824210023  
Paul T Engstrom  
5417 York Ave. So.  
Edina, MN 55410

2002824210020  
Emily R Shaughnessy  
5433 York Ave. So.  
Edina, MN 55410

2002824210017  
K K & D L Edmond  
5445 York Ave. So.  
Edina, MN 55410

2002824210004  
Carole G Cera  
5400 Xerxes Ave. So.  
Edina, MN 55410

2002824210007  
Adam N Kuzlak-Swanson  
5412 Xerxes Ave. So.  
Edina, MN 55410

2002824210143  
Barbara Rapacz  
1119 Davern St.  
St. Paul, MN 55116

2002824210011  
Hope Buchanan  
5436 Xerxes Ave. So.  
Edina, MN 55410

2002824210014  
John M Vlahos  
5448 Xerxes Ave. So.  
Edina, MN 55410

2002824210025  
Kurt F & Patricia L Ruppel  
5411 York Ave. So.  
Edina, MN 55410

2002824210022  
Betty Curtis  
5421 York Ave. So.  
Edina, MN 55410

2002824210019  
Jolinda M Simes  
5437 York Ave. So.  
Edina, MN 55410

## Patrick Wrase

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**From:** Lynette Biunno on behalf of Edina Mail  
**Sent:** Tuesday, May 06, 2014 1:39 PM  
**To:** Chad Millner  
**Subject:** FW: Attn: city council engineering (Alley Project)

Good afternoon,

This message is being forwarded to the Mayor and Council members and Chad Millner.



**Lynette Biunno, Receptionist**

952-927-8861 | Fax 952-826-0389

[lbiunno@EdinaMN.gov](mailto:lbiunno@EdinaMN.gov) | [www.EdinaMN.gov](http://www.EdinaMN.gov)

...For Living, Learning, Raising Families & Doing Business

**From:** David Young [<mailto:dypackers@gmail.com>]  
**Sent:** Tuesday, May 06, 2014 1:01 PM  
**To:** Edina Mail  
**Subject:** Attn: city council engineering (Alley Project)

I am writing because I am the owner of 5549 York Ave s. I have received the letter about the repair of the alley and the cost to me of \$1,800. I am totally against this and would like to voice this to whomever it may concern. We plan to tear down and build at that sight in the next year or two. At that time, we plan to fence off the alley like it doesn't exist. For this reason, we really don't care about the condition of the alley. It is an alley! Thanks for taking the time to hear my argument.

Sincerely,

Dave Young  
J and D Apartments

## Patrick Wrase

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**From:** Lynette Biunno on behalf of Edina Mail  
**Sent:** Wednesday, May 07, 2014 8:48 AM  
**To:** Chad Millner  
**Subject:** FW: Attn: City Council and Engineering

Good morning,

This message has been forwarded to the Mayor and Council members and Chad Millner.



**Lynette Biunno, Receptionist**

952-927-8861 | Fax 952-826-0389

[lbunno@EdinaMN.gov](mailto:lbunno@EdinaMN.gov) | [www.EdinaMN.gov](http://www.EdinaMN.gov)

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**From:** Lisa Kotsonas [<mailto:lkotsonas@aol.com>]  
**Sent:** Tuesday, May 06, 2014 4:45 PM  
**To:** Edina Mail  
**Cc:** 'Keith Kotsonas'  
**Subject:** Attn: City Council and Engineering

Re: 2014 Alley Improvements 54<sup>th</sup> to 56<sup>th</sup> St W between Xerxes and York Avenues

To Whom it May Concern:

We favor going ahead with the improvements as outlined in your May 5, 2014 letter.

Thanks,  
Lisa and Keith Kotsonas  
5515 York Ave S  
Edina MN 55410



## Patrick Wrase

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**From:** Patrick Wrase  
**Sent:** Thursday, May 08, 2014 11:31 AM  
**To:** 'Tony Curry'  
**Cc:** Chad Millner  
**Subject:** RE: Request for Instructions for Next Steps on Ally Special Assessment  
**Attachments:** Item IV. H. Res. No. 2014-49 Receiving Feasibility.pdf

Good Morning Tony,

The petition was circulated by a resident adjacent to the Alley between Xerxes/York and 55<sup>th</sup>/56<sup>th</sup>. The petition is included within the Council item that I linked in my previous email and I have now included that document as an attachment to this email. Please refer to pages 10-12/20 of the attached document for the petition information.

There is not a requirement to make the petition available to all parties subject to the assessments of a requested project. The Council could choose to receive a petition even if there was only one signature on the petition. In this case, there were 14 signatures out of a total of 26 impacted properties. The petition for this alley project was received by the Edina City Council on November 4, 2013 at which time the it was referred to the Engineering Department for the preparation of the Feasibility Study. Here is the link to the City of Edina web page that provides some additional information about the petition process: <http://edinamn.gov/index.php?section=engineering-public-works-petition>

Please let me know if I can be of any further assistance.

Thank You,



**Patrick Wrase, Assistant City Engineer**

952-826-0443 | Fax 952-826-0392

PWrase@EdinaMN.gov | www.EdinaMN.gov

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**From:** Tony Curry [mailto:tonycurry@gmail.com]

**Sent:** Thursday, May 08, 2014 9:36 AM

**To:** Patrick Wrase

**Cc:** Ann Swenson (swensonann1@gmail.com); Chad Millner; Joni Bennett (jonibennett12@comcast.net); Mary Brindle (Comcast); joshsprague7@gmail.com; James Hovland; 1 ICE (In Case Of Emergency)

**Subject:** RE: Request for Instructions for Next Steps on Ally Special Assessment

Patrick,

Can you clarify whether a petition was made available to all of the homeowners who reside along my block? I am at 5537 York Ave South.

I had been told that we did not have an opportunity to review the petition to sign or decline.

If our block was represented in full, can you please help me obtain a copy of the petition?

Thank you.

Sincerely,  
Tony

On May 7, 2014 4:17 PM, "Patrick Wrase" <[PWrase@edinamn.gov](mailto:PWrase@edinamn.gov)> wrote:

Hello Tony,

At last night's meeting of the Edina City Council, the Council passed a resolution to receive the Feasibility Report for the 2014 Alley Improvements project. The facts related to the 2014 Alley Improvements project can be found under item H in this link to the May 6, 2014 Edina City Council Meeting:

[http://edinamn.gov/index.php?section=city\\_council\\_meetings&agid=468](http://edinamn.gov/index.php?section=city_council_meetings&agid=468)

As you state in your email, the City Council will hold a Public Hearing on Tuesday, May 20<sup>th</sup> at 7:00PM in the Edina City Council Chambers at 4801 West 50<sup>th</sup> Street. You will be able to make your comments concerning the proposed project at the Public Hearing. In addition, you are welcome to provide your written comments to the Mayor and City Council at any time prior to the scheduled Public Hearing. If you feel there is significant opposition to the project, I would suggest that a petition could be circulated stating the opposition of residents adjacent to the alley to the proposed improvement project. You can submit your correspondence electronically to the City of Edina at [mail@EdinaMN.gov](mailto:mail@EdinaMN.gov), with attention requested to the City Council and Engineering. If you prefer, you can submit written correspondence to: City of Edina, Attention Engineering, 7450 Metro Boulevard, Edina, MN 55439.

If you need any further information regarding the proposed project, please contact me at your convenience.

Thank You,

**Patrick Wrase, Assistant City Engineer**



952-826-0443 | Fax 952-826-0392

[PWrase@EdinaMN.gov](mailto:PWrase@EdinaMN.gov) | [www.EdinaMN.gov](http://www.EdinaMN.gov)

...For Living, Learning, Raising Families & Doing Business

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**From:** Lynette Biunno **On Behalf Of** Edina Mail  
**Sent:** Wednesday, May 07, 2014 1:31 PM  
**To:** Patrick Wrase  
**Subject:** FW: Request for Instructions for Next Steps on Ally Special Assessment

Good afternoon,

This message has been forwarded to the Mayor and Council members and Patrick Wrase.

**Lynette Biunno, Receptionist**



952-927-8861 | Fax 952-826-0389

lbiunno@EdinaMN.gov | www.EdinaMN.gov

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**From:** [tonycurry@gmail.com](mailto:tonycurry@gmail.com) [mailto:[tonycurry@gmail.com](mailto:tonycurry@gmail.com)] **On Behalf Of** Tony Curry

**Sent:** Wednesday, May 07, 2014 11:47 AM

**To:** Edina Mail

**Cc:** Joanna Curry; Josh Sprague

**Subject:** Request for Instructions for Next Steps on Ally Special Assessment

To Whom It May Concern,

I would like to learn what course of action I must follow in order to object to the 2014 Alley Improvement project in our neighborhood.

The Edina City Council will convene on Tuesday, May 20 to hear and discuss this matter.

Before I comment on the City of Edina's special assessment findings, I must first obtain the facts and understand the procedures I must work within to lodge an objection.

I look forward to your timely reply.

Sincerely,

Tony